

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-090103

05/02/2016

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
M. Kay
Deputy

TAPESTRY ON CENTRAL L L C, et al.

RYAN J LORENZ

v.

TAPESTRY ON CENTRAL CONDOMINIUM
ASSOCIATION, et al.

KEVIN P NELSON

MICHAEL J ROGERS

MOTION DENIED/
HEARING AFFIRMED

After reviewing Plaintiff's Motion to Continue Summary Judgment Proceedings and Motion for Enlargement of Time for Initial Response, the Association Defendants' Response and Plaintiff's Reply, the Court considered again the allegations in the Second Amended Complaint and the three pending Motions for Summary Judgment along with Plaintiff's Responses. The Motions are set for Oral Argument on May 6, 2016.

As a preliminary matter,

IT IS ORDERED granting Plaintiff's request to extend the initial Summary Judgment responses to March 30, 2016 and March 31, 2016 as reflected on the Court's docket.

Plaintiff cited Rule 56(f) ARCP in its Motion but did not request an expedited hearing and as pointed out by Defendants, Plaintiff's Declaration does not satisfy the Affidavit requirements of Rule 56(f)(1). Notwithstanding Plaintiff's Declaration and Defendant's disagreement, neither has requested a hearing or oral argument.

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THE COURT FINDS insufficient good cause to continue the Summary Judgment proceedings.

IT IS ORDERED denying Plaintiff's Motion to Continue.

IT IS FURTHER ORDERED affirming the Oral Argument re: Defendants' Three (3) Motions for Partial Summary Judgment set for **May 6, 2016 at 2:00 p.m. (1 hour allotted)**.